

## PREACHER IS IN HOT WATER

COURT SAYS HIS CHARGES ARE CRIMINAL LIBEL.

Rector of Tenney Church Is Called to Court to Back Up His Accusations. Has No Proofs and May Be Prosecuted—Governor Will Take a Hand.

ROCKESACK, N. J., Jan. 30. Prosecutor Wright and Common Pleas Judge Demarest have begun an investigation of charges made by the Rev. E. A. Montgomery of the Episcopal Church of the Atonement in Tenney, Bergen county, when Supreme Court Justice Parker came here this morning to preside at a murder trial. The charges were shown to him, and the clergyman was summoned by telephone to appear in court in the afternoon.

In the charges made by the clergyman he had said: "In following up recent accusations in the Church of the Atonement, Tenney, an alarming as well as disgusting misstatement of justice has been made. It is stated on very good authority that it is almost impossible to have these accused for theft in Tenney and committed to the Grand Jury in Hackensack, continued because of political and religious influence."

The minister then referred to two cases dated back three years, and to the case of John Quinlan, who was sent to Hackensack jail by Recorder R. S. Maugham for stealing two fur coats valued at about \$300. Continuing, the charges said:

In these three cases there was no question of the guilt of the accused. What extending circumstances were pleaded for the accused I do not know, possibly they never reached the Grand Jury, but so influential are these instances that the Recorder of the Borough of Tenney tells me I quote him by permission that he never remains a prisoner to the Grand Jury, and that the culprit will escape punishment."

Two results follow these conditions. Officers who do good work with much risk naturally say: "What's the use?" and the criminal class feel that they are immune as they go.

Is Bergen county to be known as a refuge for the guilty and a safe and fertile field for the plunderer and thief?

When the Rev. Mr. Montgomery arrived in court he was called to the witness stand, but was not sworn. He frankly admitted that his conclusions were arrived at on certain information received from Recorder Maugham and hearsay, and that he had no real knowledge of the cases referred to in his letter. The rector admitted he never called upon Prosecutor Wright for information concerning the cases he thought were improperly attended to, and then Justice Parker asked the witness if he thought it fair to make such damaging statements over his name. The clergyman was also asked if he thought it a right thing to send a copy of the charges to Gov. Wilson when the statements contained therein were on the strength of a simple statement of a Recorder.

Recorder Maugham endeavored to show that Mr. Montgomery did not get the basis for the charges from information provided by him to the rector.

Justice Parker after conferring with Judge Demarest a short time returned to the bench and reviewed the charges. In concluding he said:

"I want it understood that the courts are sensitive, particularly in dealing out law and justice, and criticisms are too often made against the machinery of justice by those who have no internal knowledge of the workings and give their facts haphazardly. In the present case the charges are considered by Judge Demarest and myself as contempt of court and criminal libel. I regret that Mr. Montgomery as a minister of the Gospel, whose business it is to preach charity to all men, did not realize the offensive nature of the published accusations, charging malfeasance in office, without having some adequate cause. So far as this investigation shows there was no adequate cause."

Recorder Maugham was just as sweeping in his criticisms so far as the malfeasance in office was concerned. He said that his conversation with Mr. Montgomery was responsible for the letter, and there is some question about that point. Maybe the Recorder has also committed contempt of court in being so radical in his criticism. On that question I will not pass.

Justice Parker left the matter of prosecuting Rector Montgomery and Recorder Maugham in the hands of Prosecutor Wright, but the latter asked that the court issue a rule in order that he, as counsel, be allowed in the criticism, should not assume the initiative as a personal matter. The court ruled.

The case of Jan. 30. Gov. Wilson announced to-day that either directly or through the Attorney-General's office he would make an investigation of charges made by the Rev. E. A. Montgomery, rector of the Episcopal Church of the Atonement at Tenney, that political influence is used to shield criminals in Bergen county.

The Governor received a telegram to-day from Justice Parker of the Supreme Court saying that the charges of the Rev. Mr. Montgomery were "gross, malicious, and that he had taken steps to investigate. Justice Parker said the publication of a letter from the minister was his first knowledge of the matter."

## USHERS MEN WHO ARE TO GO.

Secretary MacVeagh O. K.'s Half of the List. Names Not to Be Given.

Secretary of the Treasury MacVeagh has indicated that the names of the ten men who are to be dismissed from the Customs Service are to be given to the public. The Collector Loei said yesterday the names would be withheld in accordance with the precedent established when the men were first named, and that the names would be given to the public in the same manner as the names of the men who are to be dismissed.

When the Collector was reminded that some of the men recommended for dismissal had complained that they had no money to defend themselves on trial, Mr. Loei said:

"The men who are to be dismissed are to be given the opportunity to defend themselves on trial."

Secretary MacVeagh has approved the recommendation of one-half of the men on the list to be dismissed.

Shippers Back From Bermuda.

A hundred and twenty-five Mystic schooners of Mecca Temple got home from Bermuda last night about the Bermuda coast.

They were met by Hamilton and St. George's, and were met by the Governor-General, Mayor Jacob Haussling of Newark, and a passenger.

On Saturday evening Peter Georgiou, a Greek, on the Oceana, had been acting queerly and was lost overboard. The passengers made up a purse for his wife and children.

Resolution Favors Reciprocity.

ROCKESACK, Jan. 30. Representative Graf, of New Jersey, to-day offered a resolution in the House endorsing the reciprocity plan of President Taft and the bill introduced in Congress by Mr. McMillan.

The resolution was referred to the Committee on Rules.

## GERM POISONER ON TRIAL.

Russian Felled With Cholera So He Gave His Victim Diphtheria.

Special Case Disposed of in Ten Days.

ST. PETERSBURG, Jan. 30. The trial of Delany Patchenko, for the murder of Bouturlin has been begun here. One of the first things done by the prosecution was to have read the confession of Patchenko, who admitted that it was his intention to inoculate his victim with cholera germs, but that he failed in that owing to the fear of discovery. As a result, he substituted diphtheria germs, which had a fatal result.

The trial is likely to be prolonged.

## TO SELL THE PINKNEY ESTATE.

Large Real Estate Holdings to Go Under the Hammer Soon.

The real estate holdings of Mary Goodwin Pinkney, who died about three years ago at the age of 38, leaving to her heirs several blocks of property in Harlem and several large plots downtown, are soon to be offered at public auction. Lawyers and real estate agents are now arranging for the sale, which may be held in the spring. The estate is valued by experts at from \$100,000 to \$200,000.

It will probably be the largest auction sale of real estate ever held in this city. Miss Pinkney inherited the property from her stepfather, Archibald Watt, who died in 1906. He was a Scotchman and came to this city when his limits did not extend above Houston street. By hard work he accumulated enough money to buy property. In 1826 he bought the DeLancey farm, which was the largest in Harlem, for \$67,500.

Mr. Watt was caught in the panic of 1837, and had it not been for his stepdaughter he would have lost everything. Miss Pinkney had saved \$40,000, which she lent him.

When Mr. Watt died he willed the estate to her. Among the properties that will be offered is the old Watt mansion, which stands facing Seventy-fifth avenue in the block bounded by 130th and 140th streets, Lenox and Seventh avenues. It is a three-story roomy old house built when that part of the city was farm land. With the exception of two small buildings it has the block to itself. Miss Pinkney used this house up to her death for a summer home. In winter she lived in the Hotel Buckingham.

Among the blocks that will be sold are those of 107th and 111th streets, Fifth and Lenox avenues, except the first house on 111th street; St. Nicholas and Manhattan avenues, 122d and 123d streets; the triangular plot at Broadway, Manhattan and 129th streets; Amsterdam and Convent avenues, 137th and 138th streets, with the exception of nine lots; 140th street, nearly all the ten blocks between 111st and 151st streets facing the Harlem and running north to Lenox, Fifth and Seventh avenues.

Joseph H. Fargis, who was appointed referee on an application to sell real estate left by the late Thomas L. Watt in behalf of his three children, recommended yesterday that a plot on Carter avenue, The Bronx, which is yielding an income of only \$400 a year, be sold. The referee said that when Mr. Watt died he had a personal estate of only \$50,000 and debts of \$1,000,000. His real holdings were worth \$1,000,000, most of which he left to his three children. Much of this property yielded no income, but was a tax on the rest of the estate for maintenance. The referee reported there was a \$47,454 deficit of income from all the real property.

Mr. Watt also inherited one-third of the estate of his father, but the referee reported that there was no net income from this property.

## AUTO EXPLODES ON 5TH AVE.

Parts of It Flew Sixty Feet. No One Hurt.

Shortly before the funeral procession for the late Inspector McCaffery was due to pass Fifth avenue and Seventy-fifth street yesterday the gasoline tank of a big automobile truck exploded. A Pull of 151 West 151st street, who runs the truck for the Brooklyn firm, was driving it. H. G. Johnson of 151st street, who was on the driver's seat, which him.

There was a flash in the steering gear just as they approached Seventy-fifth street. Both men stood up and fell. The truck was thrown into the air and followed him. They ran away from the burning machine, waving their arms and yelling to those about to get out of the way. The two men were about twenty feet away from the burning car when there was a loud explosion and a pillar of flame shot fifteen feet into the air. Fragments of the machine landed as far as sixty feet away. No one was hurt. The wreckage was cleared away before the funeral procession came along.

## HIGH WIND KILLS A MAN.

Blows Him Off a Plank and He Falls 10 Feet, Striking on Rocks.

An Italian laborer was blown from a narrow plank of a scaffold which he was building for the construction of an apartment house at 140th street and Robinson avenue, The Bronx, yesterday and landed ninety feet on a pile of rocks. He was killed instantly. He was Angelo Di Andrea, 56 years old, and lived at 320 East 117th street.

## The Weather.

Jan. 31. The storm which was over the great lake of St. Lawrence yesterday and the one of high winds and gales over the middle Atlantic and New England coasts and was felt inland to Chicago. There was snow and rain in Massachusetts, northern Ohio, northern Pennsylvania, northern New York and Canada.

Eight rain fell in the south Atlantic and east Gulf States and heavy rain on the Atlantic coast. Elsewhere fair weather prevailed. There was a decided fall in temperature in the upper Mississippi States and upper lake regions. It was 14 degrees below zero in Minnesota and Wisconsin. The wind shifted to the west and north in the middle Atlantic and New England States. It was from 10 to 20 degrees warmer in the morning, but it was becoming colder toward night. The coming cold will be no more to much here.

In all cities the day was fair and warmer in the morning, becoming colder in the evening, with high winds, average humidity, 7 per cent. Barometer corrected to 30 in sea level, at 8 A. M. 29.37 at 10 P. M. 29.14.

The temperature is shown in the annexed table. The wind is given in the direction from which it blows.

For New England, fair to day; rising temperature by night; increasing cloudiness and warmer in the morning; followed by rain or rain or snow in southern and snow in northern part; brisk westerly winds, diminishing and becoming variable.

For eastern Pennsylvania, New Jersey and Delaware, fair and somewhat warmer to day; warmer, with probably rain to-morrow; moderate westerly winds, shifting to southerly.

For the District of Columbia and Maryland, fair and somewhat warmer to day; followed by rain late to night or to-morrow; moderate variable winds, becoming southerly.

For western New York, increasing cloudiness, followed by rain to night or to-morrow; moderate variable winds, becoming southerly.

For western Pennsylvania and Ohio, increasing cloudiness, followed by rain to night or to-morrow; warmer, moderate southerly winds.

For the Gulf States, fair to day; rising temperature by night; increasing cloudiness and warmer in the morning; followed by rain or rain or snow in southern and snow in northern part; brisk westerly winds, diminishing and becoming variable.

For the South Atlantic and east Gulf States, fair to day; rising temperature by night; increasing cloudiness and warmer in the morning; followed by rain or rain or snow in southern and snow in northern part; brisk westerly winds, diminishing and becoming variable.

For the West Indies, fair to day; rising temperature by night; increasing cloudiness and warmer in the morning; followed by rain or rain or snow in southern and snow in northern part; brisk westerly winds, diminishing and becoming variable.

For the Pacific States, fair to day; rising temperature by night; increasing cloudiness and warmer in the morning; followed by rain or rain or snow in southern and snow in northern part; brisk westerly winds, diminishing and becoming variable.

## BIT OF REAL WAR AT LA CEIBA.

LEE CHRISTMAS A BUSINESS-LIKE SOLDIER IN ACTION.

Heroic Defense by Gen. Guerrero Was in Vain. Congratulated by the Victor as He Died. American Killed in Storm of Bullets. Bright Now for Bonilla.

NEW ORLEANS, Jan. 30. Details of the battle of La Ceiba, Honduras, were brought here by F. C. Masquellette, an accountant, who arrived on the steamer ship Karen to-day. At least seventy-five persons were killed in the engagement, he says, and he narrowly escaped death himself.

Keen criticism of the American Consul is being heaped in Ceiba. Mr. Masquellette says, because he gave the inhabitants no warning of Gen. Christmas's intended attack although he knew of it four days in advance. Tuesday night Gen. Christmas sent a communication to Gen. Guerrero of the Delta division stating that he intended to attack Ceiba on the morning of the 29th and would be back in the morning if he succeeded by 8 o'clock in the morning. It is said, however, that he gave no intimation to residents.

True to his word, Gen. Christmas began firing with Hotchkiss guns promptly at 8 o'clock Wednesday morning. Four and a half hours of bitter fighting followed. Gen. Guerrero defended the town bravely and was killed on the 29th. He was killed by Gen. Christmas, who expressed admiration of his courage.

The attack on Ceiba was a real battle, he says. The town was defended by the inhabitants. He expected a coming affair, and when I heard the shooting begin I started toward the wharf to see the fun. In a few rods I realized my mistake. Bullets hummed all about me and I beat a retreat.

The town was under business as usual and the streets were lively when the battle began. The first sound of firing came from the north. I expected a coming affair, and when I heard the shooting begin I started toward the wharf to see the fun. In a few rods I realized my mistake. Bullets hummed all about me and I beat a retreat.

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## BROOKLYN RECTOR WINS.

Bishop Declines in Favor of the Rev. W. M. Akeley in Church Controversy.

National League for Education of Women Awards Prize for Best Poster for Its Side Ideas. That Are Illustrated One Suffrage Poster Contributed.

Bishop Frederick Burgess of the Protestant Episcopal diocese of Long Island, at the diocesan house in Brooklyn yesterday afternoon before the standing committee delivered final judgment in the matter of the controversy between the Rev. William M. Akeley, the rector, and certain members of the vestry of St. Andrew's Church at Fifteenth street and Fourth avenue. The document detailing minutely the history of the trouble between the rector and the vestrymen, which started over a year ago and reached its climax on Sunday, September 11 last, when he was elected rector, and had to conduct services at the church, was read by the Bishop and a memorandum submitted by the standing committee was read. The Bishop declared that the rector was elected and that the vestrymen were to be dissolved.

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## ANTI-SUFFRAGE POSTERS UP.

SHOW OF DRAWINGS DEPICTING IDEAS OF VOTES FOR WOMEN.

National League for Education of Women Awards Prize for Best Poster for Its Side Ideas. That Are Illustrated One Suffrage Poster Contributed.